



## Order under Section 78(6) Residential Tenancies Act, 2006

**Citation:** Morriello v Monaco, 2024 ONLTB 4741

**Date:** 2024-01-15

**File Number:** LTB-L-087922-23

**In the matter of:** 1, 14 ELGIN ST  
ORILLIA ON L3V1R9

**Between:** Giuseppe Morriello

**And**

Pam Monaco

I hereby certify this is a  
true copy of an Order dated

**Jan 15 2024**

*S. Macchione*

Landlord and Tenant Board

Landlord

Tenant

Giuseppe Morriello (the 'Landlord') applied for an order to terminate the tenancy and evict Pam Monaco (the 'Tenant') because the Tenant failed to meet a condition specified in the settlement mediated by the Board on April 11, 2022 with respect to application CEL-04232-21.

A hearing was held by videoconference on January 9, 2024 to consider this application.

The Landlord and the Tenant attended the hearing.

### Determinations:

1. The Landlord failed to provide details of the alleged conduct on their application made under section 78 of the Act. The Landlord has also not served a copy of the documents in which they intend to rely on at the hearing to the Tenant.
2. The Board nor the Tenant knows the case required to be met and the Tenant is not able to prepare a defence.
3. Since the Landlord has failed to provide enough information about their claim, which is a basic principle of natural justice for a fair hearing, the Landlord's application for eviction is not considered.

### It is ordered that:

1. The L4 application is dismissed.

**January 15, 2024**  
**Date Issued**

Sandra Macchione  
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor  
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.